

Chw. William Holley III, Comm Barbara Plum, Comm. James Fortuna, Comm. David Roane, Comm. George Lapadula, Comm. Corrine Dorsey, Comm. Carl Bolz, Comm. John Voli

COMMISSION MEMBERS PRESENT

Comm. Andrew Rak, Comm. Stephen Gadowski, Mayor Dominique Thornton, Ex-Officio, Dir. P.W. Salvatore Fazzino, Ex-Officio

COMMISSION MEMBERS ABSENT

William Warner, Director, Wayne Bell, Zoning Enforcement Officer, Thomas Nigosanti, Chief Engineer

STAFF

There were approximately one hundred and fifty (150) members of the public. There is a word for word tape recording of the meeting on file and available in the Planning Office.

PUBLIC

Chm. William Holley raised concern over the timing of receiving the mailout and the need to get the mailout out earlier. Chm. Holley felt he was unprepared to act on the applications but would sit to run the meeting. Comm. Barbara Plum felt that eight out of the twelve public hearing items were carried over from the last meeting and therefore, were in the last packet. William Warner indicated that Item #3.2 has been removed from the agenda. Comm. David Roane questioned the Chairman's disqualification and his intent to run the meeting. Chm. William Holley continued on agenda items and the Commission's need to take a more active role in creating the agenda. Chm. Holley suggested limiting presentations and public comment. Comm. George Lapadula concurred and made a motion to limit fifteen minutes for each item. Comm. Barbara Plum seconded. Comm. David Roane commented on the motion. Discussion ensued. Atty. Philip Karpel expressed concern over the time limit. Atty. Sebastian Juliano expressed concern over the time limit. J. Elmore expressed concern over the time limit. Comm. Carl Bolz feels it's just a test and that the Commission should give it a try. The motion passed unanimously.

ITEM 2 DISCUSSION WITH PUBLIC ON ITEMS ON AGENDA

Atty. Michael Dowley suggested continuing the public hearing and began his presentation regarding rear lot regulations and rear lots in the Cranberry Estates Subdivision. Atty. Dowley showed the proposed plan to the Commissioners and to the public using the subdivision plans and the Tax Assessor's maps. He reviewed Section 44 Rear Lot regulations and indicated that if this proposal was approved, the appeal would be withdrawn. From the public, A. Alfano commented on changes to the lot line revision and the creation of a rear lot on Maple Shade Road. A. Alfano commented on trench and drainage concerns, springs and wet areas on the property, used boards to explain the maps, had pictures of drainage onto the Sheehan property, referred to the departmental comments and extension of the sewer line and referenced sections of the Zoning Code and the reasons to deny the application. C. Juliano read letters of opposition from R. Scarrozzo, M. Ennis, N. Hargrave, and H. Lapidus into the record. R. Ringler spoke in opposition to the Special Exception and submitted four (4) letters into the record. Three (3) letters of opposition from the public were submitted into the record. M. Soboski, a Cranberry Lane resident who lives across the street from M. Sheehan's property, expressed

ITEM 2b.2 CLOSED THE P.H. FOR A PROPOSED TWO (2) LOT RE-SUBDIVISION WITH A SPECIAL EXCEPTION FOR A REAR LOT OF LOT #7 OF MAPLESHADE ESTATES LOCATED OFF MAPLESHADE ROAD

opposition and submitted four (4) letters of opposition. A member of the public who resides at 113 Cranberry Lane expressed concern over drainage and submitted four (4) letters of opposition into the record. M. Sheehan expressed opposition to the plan due to drainage and property depreciation. She explained the appraisal report from Charles Burr and his opinion on the depreciation of the Sheehan home and referenced Section 44.04, property values and character. M. Sheehan requested hands be raised for members of the public in opposition. Chm. William Holley indicated that such display is not allowed by the Commission Bylaws and indicated that the Commission should disregard such action. F. Payola feels the matter should not be heard considering the pending litigation. M. Cannata comments on the Cranberry Estates development. Atty. Sebastian Juliano feels unless there is abuse of discretion, the previous denial will be upheld and any change now would be problematic. Atty. Michael Dowley took the letters submitted into the record. Atty. Sebastian Juliano commented on drainage and the stream, the desirability of a rear lot and the change in character of the area. C. Lighting is opposed to the subdivision based on previous comments. Atty. Michael Dowley responded to the letters, cluster homes, traffic, impacts on property values and indicated that Lot #7 will be built on. Atty. Dowley continued on the fact that the proposal is not a cluster development, that it is in compliance with all departmental commented and emphasized minimal impact of one additional lot. He feels there should be an approval. Comm. Carl Bolz questioned if there was any difference from the last application. Atty. Michael Dowley indicated that it is substantially the same. Atty. Sebastian Juliano commented on Lot #6. Atty. Michael Dowley indicated that Lot #6 is an approved building lot. On motion and second by Comms. David Roane and George Lapadula the Commission closed the public hearing. Vote was unanimous. A motion to table a proposed two (2) lot re-subdivision with a Special Exception for a rear lot of Lot #7 of Mapleshade Estates located off Mapleshade Road was made by Comm. David Roane and seconded by Comm. Barbara Plum. Comm. David Roane feels some commissioners may need more time. Comms. Barbara Plum and George Lapadula questioned Lot #7. William Warner responded. The motion passed unanimously. Applicant/agent Anthony Fazzino S2001-3

Atty. Philip Karpel explained the proposal, indicated there will be no wetlands impact, and spoke on the plans to refurbish the the building which is now in a state of disrepair and remove the abandoned vehicles. Atty. Karpel indicated that this will be a major investment and a major improvement. B. Kolout, Vice President of Cardinal Mills, LLC, explained the self storage facilities and indicated that there would be 609 units. He explained the building elevations and the proposed house. Comm. Corrine Dorsey questioned parking. Comm. Carl Bolz questioned access to the facility. Comm. Barbara Plum questioned lighting. B. Kolout indicated that the lighting would be minimal and shielded down. Atty. Philip Karpel indicated that the parking lot would not be lit, just near the building. Comm. John Voli questioned outdoor

ITEM 2b.2
GRANTED A
SPECIAL EX-
CEPTION FOR
AN ADAPTIVE
HISTORIC REUSE
TO CONVERT AN
EXISTING ABAN-
DONED FACTORY
BUILDING LO-
CATED BETWEEN
PAMEACHA
AVENUE, WAR-

storage. The applicant indicated that there would be no outdoor storage. Shannah Rutherford, a V.H.B. engineer, explained the site plan, the traffic, new trees for a buffer and the manager's home. She indicated that departmental staff has reviewed and approved. Atty. Philip Karpel concluded, agreed with all departmental conditions and referenced Section 44 Adaptive Historic Reuse and general Special Exception criteria and feels the proposal satisfies all criteria. Comm. David Roane questioned environmental studies. Atty. Philip Karpel responded on Department of Environmental Protection restrictions. Comm. Corrine Dorsey questioned lighting and sensors. Atty. Philip Karpel responded. From the public, John Elmore submitted a letter from V.J. Pinch and read the letter into the record. Leo Kania spoke for the Polish National Home and their rights to park on the property, He had concerns over traffic on Pameacha Avenue. W. Gaylee spoke in support, commented on some concerns and the type of traffic and submitted a letter. Linda Bowers is opposed to this use and feels it should be industrial. Katherine Johnson is opposed to the use, feels it would have a negative impact and feels the house is too small for the corner. Comm. David Roane questioned the well. W. Gaylee feels the self storage can't wait any longer and that the Commission should approve it tonight. Atty. Philip Karpel concluded by agreeing with Mr. Pinch and agreeing to planting of trees on city property. Atty. Karpel also agreed to the hours of operation being from 6:00 a.m. to 10:00 p.m., minimal signage and no outdoor storage. Comm. John Voli questioned garbage. Atty. Philip Karpel responded. Comm. David Roane questioned managers and Warwick Street for egress. Atty. Philip Karpel indicated that there would be three to cover all shifts and commented on traffic problems. Comm. Corrine Dorsey questioned fencing. Comm. Barbara Plum questioned signage. William Warner responded. On motion and second by Comms. David Roane and Barbara Plum the Commission closed the public hearing. Vote was unanimous. Comm. George Lapadula feels this is an appropriate use and that it is time to address this issue. A motion to grant a Special Exception for an adaptive historic re-use to convert an existing abandoned factory building located between Pameacha Avenue, Warwick Street and High Street to a self storage facility was made by Comm. George Lapadula and seconded by James Fortuna. Comm. Carl Bolz made a friendly amendment to include the condition that: 1) that the pine trees or others be approved by the City Forester for better visual barrier; 2) all departmental comments be addressed; and 3) there be no outdoor storage. Comm. Barbara Plum questioned the hours of operation. Comm. George Lapadula indicated that they would be between 6:00 a.m. and 10:00 p.m. A motion to include wooden fencing was made by Comm. Corrine Dorsey and seconded by Comm. George Lapadula. Comm. Carl Bolz indicated that he was opposed to the fencing. Comm. Corrine Dorsey responded. Comm. Barbara Plum agreed with Comm. Carl Bolz. The motion failed with Comms. Corrine Dorsey and George Lapadula in favor and Comms. Barbara Plum, Comm. James Fortuna, Comm. David Roane, Comm. John Voli and

WICK STREET AND
HIGH STREET TO A
SELF STORAGE
FACILITY

Comm. Carl Bolz opposed. The main motion as amended passed with Comm. Barbara Plum, Comm. James Fortuna, Comm. David Roane, Comm. John Voli and Comm. Carl Bolz in favor and Comms. Corrine Dorsey and George Lapadula opposed. Applicant/agent Cardinal Mills, LLC/ Attorney Philip F. Karpel SE2001-2

Atty. Michael Dowley explained the proposal and suggested closing the public hearing and tabling the item. He explained the warehouse amendment and design center, commented on the letter of support from the Middlesex County Chamber of Commerce, and reviewed the proposed language. G. Marteroli explained the business and the method of operation at length. He had details on the operation and the competition. Atty. Michael Dowley reviewed the regulation and noted the Special Exception requirement. From the public, B. Anderson of Westfield Residents for Rational Development of Middletown, Inc., voted in opposition due to the retail element in the proposed. B. Anderson reviewed the history of the area, stated that there is no opposition to the parking amendment, and feels that it is spot zoning and that thirty percent is too large. Arline Rich, Westfield Residents for Rational Development of Middletown, is opposed and referenced Section 71. She discussed traffic concerns at length and feels the company should have known the rules when they started. B. Stedrek of Atkins Street submitted a petition. P. Westerberg stated his opposition. R. Schmidt is opposed due to property values, traffic, and tree cutting. Jan Schmidt is opposed due to traffic and tree cutting. K. Westerberg is opposed to traffic. Atty. Michael Dowley concluded and stated that this is just a text amendment and that the applicant would have to come back for the Special Exception. Comm. Carl Bolz indicated that he is a member of Westfield Residents for Rational Development of Middletown, Inc. and left the meeting. On motion and second by Comms. David Roane and Barbara Plum the Commission closed the public hearing for a proposed Zoning Code text amendment to modify Section 40.04.11 Industrial Uses and to add Section 61.01.56 Design Center and tabled the item until the next meeting. Vote was unanimous. Applicant/agent Stone Resources, LLC/ Michael F. Dowley & Associates Z2010-4

ITEM 2b.3
CLOSED THE P.H.
FOR A PROPOSED
ZONING CODE
TEXT AMENDMENT
TO MODIFY SEC-
TION 40.04.11 IN-
DUSTRIAL USES AND
TO ADD SECTION 61.
01.56 DESIGN CEN-
TER

Philip Redford explained the previous approval and the desire for the Community Renewal Team (CRT) to move in for their corporate office. He indicated that there would be no changes on the site. Comm. George Lapadula questioned the process. William Warner responded. No one from the public spoke. Comm. Barbara Plum questioned the Public Works comment. Philip Redford responded. Tom Nigosanti responded regarding spaces #15 and #16. Comm. Barbara Plum questioned the map. Comm. David Roane questioned CRT and their move out of the Green Street school. On motion and second by Comms. David Roane and Barbara Plum the Commission closed the public hearing. Vote was unanimous. A motion to grant a Special Exception to convert an existing vacant building at 80 East Main Street to a new use as office space for the Community Renewal Team, Inc. (CRT) was made by Comm. David Roane and seconded by Comm. James Fortuna. Vote was unanimous.

ITEM 2b.5
GRANTED A
SPECIAL EXCEP-
TION TO CONVERT
AN EXISTING VA-
CANT BUILDING
AT 80 EAST MAIN
STREET TO A NEW
USE AS OFFICE
SPACE FOR THE
COMMUNITY RE-
NEWAL TEAM,
INC. (CRT)

Applicant/agent Philip H. W. Redford/T.F. Jackowiak SE2001-3

Chm. William Holley questioned a quorum and indicated that a quorum was not present. Chm. Holley requested an extension. The applicant consented. Chm. William Holley apologized to the applicant and the public for the inexcusable incompetence of staff. William Warner disputed the Chairman's claims. On motion and second by Comms. David Roane and Barbara Plum the Commission continued the public hearing for a proposed three (3) lot resubdivision with a Special Exception for a rear lot of the property of Stanley Boniewski located on the east side of Higby Road north of White Road. Vote was unanimous. Applicant/agent Bricon Custom Homes/Brian Sarisley S2001-6

ITEM 2b.5
CONTINUED P.H.
FOR A PROPOSED
THREE (3) LOT RE-
SUBDIVISION WITH
A SPECIAL EXCEP-
TION FOR A REAR
LOT OF THE PRO-
PERTY OF STAN-
LEY BONIEWSKI
LOCATED ON THE
EAST SIDE OF
OF HIGBY ROAD
NORTH OF WHITE
ROAD

Comm. David Roane indicated that 12:00 midnight has occurred and that the meeting can't continue past twelve without violating the Planning and Zoning Commission Bylaws. On motion and second by Comms. David Roane and George Lapadula the Commission agreed to open all remaining public hearing items and continue them until the next meeting. Chm. William Holley stated his opposition. Vote was unanimous. A motion to schedule a special meeting for June 26, 2001 was made by Comm. David Roane and seconded by Comm. Barbara Plum. Discussion ensued on the public hearing legal notice. Vote was unanimous. On motion and second by Comms. David Roane and Barbara Plum the Commission opened the public hearing and continued a proposed Zoning Map amendment to rezone a piece of property located on the east side of Middle Street north of Old Middle Street from the R-30 Residential zone to the IT Interstate Trade zone. Vote was unanimous. Applicant/agent Stone Resources, LLC/Frank Magotta, P.E. Z2001-8

ITEM 2b.6
CONTINUED A PRO-
POSED ZONING
MAP AMENDMENT
TO REZONE A PIECE
OF PROPERTY LO-
CATED ON THE
EAST SIDE OF
MIDDLE STREET
NORTH OF OLD
MIDDLE STREET
FROM THE R-30
RESIDENTIAL
ZONE TO THE IT
INTERSTATE
TRADE ZONE

On motion and second by Comms. David Roane and Barbara Plum the Commission opened the public hearing and continued a proposed twenty-two (22) lot resubdivision of the property of Hubbard Estates Middletown, LLC located off of Brookview Lane just east of McCormick Lane to be known as Knoll Ridge Acres, Phases I and II. Request for a waiver of the Street Design Standards to permit a road of 950 feet instead of 800 feet as required. Vote was unanimous. Applicant/agent Hubbard Estates Middletown, LLC/Joan C. Molloy, Esq. S2001-7

ITEM 2b.7
CONTINUED A PRO-
POSED TWENTY-
TWO (22) LOT
RESUBDIVISION
OF THE PROPERTY
OF HUBBARD
ESTATES MIDDLE-
TOWN, LLC LO-
CATED OFF OF
BROOKVIEW LANE
JUST EAST OF MC-
CORMICK LANE TO
BE KNOWN AS
KNOLL RIDGE
ACRES, PHASES I
AND II

On motion and second by Comms. David Roane and Barbara

ITEM 2b.8

Plum the Commission opened the public hearing and continued a proposed three (3) lot resubdivision with a Special Exception for a rear lot of the property of Thomas Wilcox located on the east side of Atkins Street north of Sawmill Road. Vote was unanimous. Applicant/agent Thomas Wilcox/Conklin & Soroka, Inc. S2001-8

CONTINUED A PROPOSED THREE (3) LOT RESUBDIVISION WITH A SPECIAL EXCEPTION FOR A REAR LOT OF THE PROPERTY OF THOMAS WILCOX LOCATED ON THE EAST SIDE OF ATKINS STREET NORTH OF SAWMILL ROAD

On motion and second by Comms. David Roane and Barbara Plum the Commission opened the public hearing and continued a proposed amendment to modify Section 48.03.05 in the Zoning Code and Section 2.06.03 of the Subdivision Regulations, Public Hearing Signs. Vote was unanimous. Proponent P&Z Commission Z2001-

ITEM 2b.9
CONTINUED A PROPOSED AMENDMENT TO SECTION 48.03.05 IN THE ZONING CODE AND SECTION 2.06.03 OF THE SUBDIVISION REGULATIONS, PUBLIC HEARING SIGNS

On motion and second by Comms. David Roane and Barbara Plum the Commission opened the public hearing and continued a proposed three (3) lot resubdivision of the property of Donetta S. Griffith located between Ballfall Road and Olympus Parkway. Vote was unanimous. Applicant/agent Donetta S. Griffith/T.F. Jackowiak S2001-9

ITEM 2b.10
CONTINUED A PROPOSED THREE (3) LOT RESUBDIVISION OF THE PROPERTY OF DONETTA S. GRIFFITH LOCATED BETWEEN BALLFALL ROAD AND OLYMPUS PARKWAY

On motion and second by Comms. David Roane and Barbara Plum the Commission opened the public hearing and continued a proposed Special Exception to convert the former Grossman's at 909 Washington Street to a new use as a teenage recreation center, dance facility and juice bar. Vote was unanimous. Applicant/agent Melanie Montagnon/Ashaf Uddin SE2001-14

ITEM 2b.11
CONTINUED A PROPOSED SPECIAL EXCEPTION TO CONVERT THE FORMER GROSSMAN'S AT 909 WASHINGTON STREET TO A NEW USE AS A TEENAGE RECREATION CENTER, DANCE FACILITY AND JUICE BAR

On motion and second by Comms. David Roane and Barbara Plum the Commission opened the public hearing and continued a proposed four (4) lot resubdivision of the property of MGRS, Inc. located at 66 Church Street (the former Police Station property). Vote was unanimous. Applicant/agent MGRS, Inc./Mr.

ITEM 2b.12
CONTINUED A PROPOSED FOUR (4) LOT RESUBDIVISION OF THE PROPERTY

William Vasiliou, Secretary S2001-10

OF MGRS, INC.
LOCATED AT 66
CHURCH STREET

On motion and second by Comms. David Roane and Barbara Plum the Commission tabled a request for release of the cash bond for the McInerney Industrial Subdivision located on Middle Street. Vote was unanimous. Applicant/agent Delta Building Corporation/Douglas Balfour, Vice President S99-12

ITEM 3.1
TABLED A REQUEST
FOR RELEASE OF
THE CASH BOND
FOR THE MCINER-
NEY INDUSTRIAL
SUBDIVISION LO-
CATED ON MIDDLE
STREET

This item was removed from the agenda.

ITEM 3.2
PROPOSED SCHE-
DULE OF WORK-
SHOPS AND PUBLIC
HEARINGS FOR THE
PROPOSED I-3
SPECIAL INDUS-
TRIAL ZONE TEXT
AMENDMENTS

On motion and second by Comms. David Roane and Barbara Plum the Commission tabled a proposed Special Exception for 200 multi-family dwellings to be located on the west side of George Street between Washington Street and Boston Road to be known as Nohl Crest. Vote was unanimous. Applicant/agent Landmark Development Group, LLC/Michael F. Dowley, Esq. SE2000-9

ITEM 3.3
TABLED A PRO-
POSED SPECIAL
EXCEPTION FOR
200 MULTI-FAMILY
DWELLINGS TO BE
LOCATED ON THE
WEST SIDE OF
GEORGE STREET
BETWEEN WASH-
INGTON STREET
AND BOSTON ROAD
TO BE KNOWN AS
NOHL CREST

On motion and second by Comms. David Roane and Barbara Plum the Commission tabled a request for modification of the subdivision approval of Lot #2 of the Gilbert Subdivision located at 523 Ridgewood Road to allow a driveway access from Poplar Road. Vote was unanimous. Applicant/agent John R. Kmetz S98-4

ITEM 3.4
TABLED A REQUEST
FOR MODIFICATION
OF THE SUBDIVISION
APPROVAL OF LOT #2
OF THE GILBERT
SUBDIVISION LO-
CATED AT 523
RIDGEWOOD ROAD
TO ALLOW A DRIVE-
WAY ACCESS FROM
POPLAR ROAD

On motion and second by Comms. David Roane and Barbara Plum the Commission tabled a proposed one (1) lot resub-division of Lot #13 Highmeadow Lane. Vote was unanimous.

ITEM 4.1
TABLED A PRO-
POSED ONE (1)

Applicant/agent Carrier Enterprises, Inc./Yvon Carrier S2001-12

LOT RESUB-DIVISION OF LOT #13 HIGHMEADOW LANE

On motion and second by Comms. David Roane and Barbara Plum the Commission tabled a proposed two (2) lot resub-division with a Special Exception for two rear lots of the property of Meriden Trust & Safe Deposit Co. located on Footit Drive and Chelsea Court. Vote was unanimous. Applicant/agent Signature Homes, Inc./Conklin & Soroka, Inc. S2001-13

ITEM 4.2
TABLED A PROPOSED TWO (2) LOT RESUB-DIVISION WITH A SPECIAL EXCEPTION FOR TWO REAR LOTS OF THE PROPERTY OF MERIDEN TRUST & SAFE DEPOSIT CO. LOCATED ON FOOTIT DRIVE AND CHELSEA COURT

On motion and second by Comms. David Roane and Barbara Plum the Commission tabled a proposed thirty-eight (38) lot resubdivision of the property of Tina Tomasetti located at 99 East Street to be known as Country Hill. Vote was unanimous. Applicant/agent The Ravenswood Company, LLC/Conklin & Soroka, Inc. S2001-14

ITEM 4.3
TABLED A PROPOSED THIRTY-EIGHT (38) LOT RESUBDIVISION OF THE PROPERTY OF TINA TOMA-SETTI LOCATED AT 99 EAST STREET TO BE KNOWN AS COUNTRY HILL

On motion and second by Comms. David Roane and Barbara Plum the Commission tabled a proposed Special Exception for a proposed gasoline station to be located in the B-2 zone at 619 Saybrook Road. Vote was unanimous. Applicant/agent Fazlay Rabbi/Richard D. Carella, Esq. SE2001-5

ITEM 4.4
TABLED A PROPOSED SPECIAL EXCEPTION FOR A PROPOSED GASOLINE STATION TO BE LOCATED IN THE B-2 ZONE AT 619 SAYBROOK ROAD

On motion and second by Comms. David Roane and Barbara Plum the Commission tabled a request for G.S. 8-24 Review to approve the revised and amended North End/CBD Urban Renewal Plan. Vote was unanimous. Applicant/agent Middle-town Redevelopment Agency/Steven Leinwand, Chairman

ITEM 4.5
TABLED A REQUEST FOR G.S. 8-24 REVIEW TO APPROVE THE REVISED AND AMENDED NORTH END/CBD URBAN RENEWAL PLAN

On motion and second by Comms. David Roane and George Lapadula the Commission tabled the minutes of the May 23, 2001

ITEM 5.1
TABLED THE

PLANNING AND ZONING COMMISSION REGULAR MEETING JUNE 13, 2001, 7:30 P.M. PAGE 9 OF 9

meeting. Vote was unanimous.

MINUTES OF THE
5/23/01 MEETING

On motion and second by Comms. David Roane and Barbara Plum the Commission tabled the Zoning Enforcement Officer's Report.

ITEM 5.2
TABLED THE
ZEO REPORT

There was no discussion.

ITEM 6
DISCUSSION
WITH PUBLIC

A motion to adjourn at 12:00 a.m. was made by Comm. David Roane and seconded by Comm. James Fortuna. Vote was unanimous.

ITEM 7
ADJOURNMENT

Respectfully submitted,

William Warner, AICP
Director of Planning, Conservation and Development